

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA  
UNITED STATES, ) Case No. 8:07-cr-00443-LSC-FG3  
Plaintiff, )  
vs. )  
SIYAD WARSAME ALI, )  
Defendant. )  
)  
)  
)  
)  
)  
)  
)  
**REQUEST TO WITHDRAW MOTION TO**  
**DISMISS OR FOR SANCTIONS**

**COMES NOW** Brent Nicholls and on behalf of Siyad Warsame Ali, the Defendant in the above-captioned case states as follows:

1. Based on the failure of the The U.S. Attorneys office to produced certain tax returns and release the addresses of certain witnesses to the U.S. Marshals office for the purposes of facilitating service, Defense counsel filed a motion to dismiss or for sanctions.
  2. Subsequent to filing the motion Defense counsel was able to independently find the addresses of the witness.
  3. On this same day Defense counsel received the principal tax return referenced in the prior motion.
  4. For the foregoing reasons Defense counsel would like to withdraw his prior motion without prejudice.

Respectfully Submitted,

By: /s/ Brent W. Nicholls

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 6, 2009, he filed this document using the Court's electronic ECF system which sent an electronic copy of the foregoing to all attorneys of record in the case:

/s/ Brent W. Nicholls

Brent Nicholls

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